UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,345	12/29/2000	Eric W. Parsons	061473/0269982	8396

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EXAMINER
ELAHEE, MD S

ART UNIT	PAPER NUMBER
2645	17

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/753,345	PARSONS ET AL.
	Examiner	Art Unit	
	Md S Elahee	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-12 and 15-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-12 and 15-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This action is responsive to an amendment filed 05/20/04. Claims 1-4, 6-12 and

15-19 are pending. Claims 5, 13, 14 and 20 have been cancelled.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-4, 6-12, 15 and 16 have been fully

considered but they are not persuasive.

Regarding claims 1 and 9, the applicant argued on pages 1 and 2, Gustafsson

ignores the resoning of the significance of the term "push" wherein, "Push" implies that

the alert is transmitted to the wireless device in the absence of a corresponding request

from the wireless device. Examiner disagrees with this argument. The applicant did not

claim the phrase whether the "Push" implies the alert is transmitted to the wireless device

in the absence of a corresponding request from the wireless device. Therefore, the

rejection of the claims in view of Gustafsson will remain.

Applicant's arguments with respect to claim 17 has been fully considered but are

moot in view of the new ground(s) of rejection which is deemed appropriate to address

all of the added limitation at this time.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-4, 6-12, 15 and 16 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bobo, II (U. S. Patent No. 6,564,321) and in view of Gustafsson (U. S.

Patent No. 6,424,841).

Regarding claims 1 and 9, Bobo teaches collecting notification message

associated with each of the message types (abstract; fig.2; col.7, lines 57-67, col.8, lines

1-12, col.9, lines 21-29; 'notification message' reads on the claim 'information regarding

at least two message events' and 'message types' reads on the claimed 'message feeds').

Bobo further teaches updating a list of messages for the user based on the collected

information (fig.2; col.7, lines 57-67, col.8, lines 1-12, col.9, lines 21-29).

Bobo further teaches preparing a notification based on the updated list of

messages (col.8, lines 1-12, col.9, lines 21-29; 'notification' reads on the claim 'alert').

Bobo further teaches sending the notification to a paging system associated with

the user (col.9, lines 21-29; 'sending the notification' reads on the claim 'pushing the

alert' and 'paging system' reads on the claim 'wireless device').

Bobo fails to teach "pushing the alert using a Wireless Access Protocol (WAP)

push protocol". Gustafsson teaches SMS server 400 coupled to proxy server device 140

serving the wireless client devices through airnet 120 using the WAP communication

protocol (fig.3, fig.4, fig.5; col.13, lines 32-41, 65,66; col.14, lines 1-6; 'serving' reads on

the claim 'pushing the alert' and 'WAP communication protocol' reads on the claim 'WAP

push protocol'). Thus, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Bobo to have transmit SMS message using WAP

communication protocol as taught by Gustafsson. The motivation for the modification is

to allow wireless users to get SMS message using WAP communication protocol.

Bobo further teaches displaying the date and time (i.e., alert including an indication of the most recent message event) of each of the messages was received (i.e., at least two message events) (col.9, lines 20-31, 40-65).

Bobo further teaches storing information associated with the updated list of messages (col.8, lines 1-12, col.9, lines 21-29; 'storing' reads on the claim 'archiving').

Regarding claims 2 and 10, Bobo teaches providing a link in the notification for accessing the stored information via a paging system (col.8, lines 1-12, 25-49, col.9, lines 21-29; 'notification' reads on the claim 'pushed alert' and 'stored information via a paging system' reads on the claim 'archived via a wireless interface').

Regarding claims 3 and 11, Bobo teaches the messages comprising voice mail, fax mail, e-mail etc. (col.7, lines 57-65, col.9, lines 21-29).

Regarding claims 4 and 12, Bobo teaches the message events include one of a types of message (col.9, lines 21-29; 'types of message' reads on the claim 'newly received voice mail, a deleted voice mail a read voice mail, a newly received email, a deleted email, a read email, a newly received fax, a deleted fax, a newly received information message, a deleted information message, a read information message, and a missed phone call').

Regarding claim 6, Bobo teaches generating additional information according to user preference (col.9, lines 30, 31; 'user preference' reads on the claim 'an indication of a most recent one of the message events').

Regarding claims 7 and 15, Bobo teaches preparing an identification information associated with newly received message (col.14, lines 33-36; 'identification information'

reads on the claim 'identification of a caller' and 'sender' reads on the claim 'caller' and

'newly received message' reads on the claim 'most recent message event')

Regarding claims 8 and 16, Bobo teaches preparing a respective total of messages

associated with each of the message types (col.9, lines 21-29; 'types' reads on the claim

'feeds').

7.   Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo,

II (U. S. Patent No. 6,564,321) and in view of Matthews et al. (U.S. Patent No.

4,602,129) and further in view of Gustafsson (U. S. Patent No. 6,424,841).

Regarding claim 17 is rejected for the same reasons as discussed above with

respect to claim 1. Furthermore, Bobo teaches a Message Storage and Delivery System

(MSDS) collecting information about at least two messages stored for certain of the

plurality of users by the message types (i.e., first message feed and the second message

feed), the MSDS being adapted to notify based on the collected information to paging

system associated with the certain users (abstract; fig.2; col.7, lines 57-67, col.8, lines 1-

12, col.9, lines 21-29, 40-65; 'Message Storage and Delivery System (MSDS)' reads on

the claim 'notification server', 'notify' reads on the claim 'push alerts' and 'paging

system' reads on the claim 'wireless devices').

Bobo further teaches a database coupled to the Message Storage and Delivery

System (MSDS) for storing message headers based on the collected information, the

notification including a link for accessing the database and the date and time (i.e., an

indication of the most recent one) of each of the messages was received (i.e., at least two

messages) (fig.17; col.8, lines 1-12, 25-49, col.9, lines 20-31, 40-65; 'database' reads on

the claim 'archive', 'Message Storage and Delivery System (MSDS)' reads on the claim 'notification server' and 'notification' reads on the claim 'pushed alerts').

Bobo further teaches that the communication system further includes a central office coupled to a plurality of office phones associated with the certain users, one of the first and second message types being voice mail associated with the office phones (fig.1; col.7, lines 57-67, col.8, lines 1-12; 'types' reads on the claim 'feeds'). However, Bobo fails to teach "PBX coupled to a plurality of office phones". Matthews teaches the user's telephones 18 connected to the PBX's 12 have access to the VMS 10 and the features of the VMS 10 may be utilized by a small customer with a single PBX 12 or by much larger customers having multiple PBX's 12 interfaced with a single VMS 10 (fig.1; col.4, lines 41-46; 'much larger customers having multiple PBX's 12' reads on the claim 'a PBX coupled to a plurality of office phones'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bobo to have a PBX coupled to the office phones as taught by Matthews. The motivation for the modification is to allow more users to handle the phone calls.

Regarding claim 18, Bobo teaches a paging interface adapted to communicate with the paging system in response to selection of the link included in the notification (col.8, lines 1-12, 25-49, col.9, lines 21-29; 'paging interface adapted to communicate with the paging system' reads on the claim 'wireless interface adapted to communicate with the wireless device' and 'notification' reads on the claim 'pushed alerts').

Regarding claim 19, Bobo teaches the message events include one of a types of message (col.9, lines 21-29; 'types of message' reads on the claim 'a voice mail, fax

mail, email, and an information source, and the second message feed comprises a different one of the voice mail, fax mail, email, and the information source').

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hellebust et al. (U.S. Patent 6,628,194) teach Filtered in-box for voice mail, e-mail, pages, web-based information, and faxes and Wu (U.S. Patent 6,275,575) teach Method and system for coordinating and initiating cross-platform telephone conferences.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703)305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703)305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

        Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
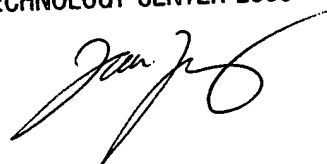
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